



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Powers et al.)	Brian E. Pellegrino
)	
Serial No. 10/634,206)	Group Art Unit 3738
)	
Filed August 5, 2003)	Ref. No. MSDI-196/ PC934.00
)	
SURGICAL KIT AND METHOD FOR)	February 28, 2006
PROVIDING STERILIZED EQUIPMENT)	
FOR USE IN SPINAL SURGERY)	

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated September 29, 2005, please enter and consider the following amendments and remarks. A fee in the amount of \$450.00 is remitted herewith for a two (2) month extension of time, thereby extending the time period to respond to the non-final Office Action to February 28, 2006. A fee in the amount of \$400.00 is also remitted herewith to cover the fee associated with two (2) additional independent claims. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 28, 2006

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Brad A. Schepers

Signature

February 28, 2006

Date of Signature

03/06/2006 HGUTEMH1 00000044 10634206

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INTRODUCTORY COMMENTS

Claims 1-55 were pending in the subject application for the first Office Action. Claims 40-55 have been withdrawn from consideration. Each of the claims 1-39 currently stands rejected. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.